UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,897	05/02/2001	Poopathy Kathirgamanathan	A34258-PCTUS	5347

7590   02/06/2003

Marta E Delsignore
Baker Botts
30 Rockefeller Plaza
New York, NY   10112-0228

EXAMINER
THOMPSON, CAMIE S

ART UNIT	PAPER NUMBER
1774	

DATE MAILED: 02/06/2003   #10

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

Paper No. _____

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on ___*1-3-03*___ is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

☐ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).

☐ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).

☐ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).

☐ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: ___*See attached; regarding the paragraph.*___

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf.

☐ **PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

☑ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide,* applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

_____
Legal Instruments Examiner (LIE)

(Rev. 12/01)

SUMMARY OF § 1.121 AMENDMENT CHANGES

- All amendments filed March 1, 2001 (or later) must comply with revised 37 CFR 1.121

RULE 1.121 REQUIREMENTS:
- Changes to specification/claims must be made by replacement of entire paragraphs/sections/claims

- Applicants must provide (a) a <u>clean version</u> of an amended paragraph or section or claim and (b) a <u>marked-up version</u> of the same paragraph or section or claim showing changes

- Clear instructions must be provided for the location of the amendment entry (e.g., paragraph number, page/line number)

- Deletion/Addition of paragraph/claim only requires an instruction to delete/add - no marked-up version required for deleted/added items

ENTRY GUIDELINES:
- ENTER ONLY THE CLEAN VERSION (wherever it is) as an insert

- NO ENTRY OF SINGLE WORDS OR PARTIAL PARAGRAPHS OR CLAIMS

- Section heading may be entered (e.g."SUMMARY OF INVENTION") as an insert

- DO NOT ENTER REPLACEMENT PAGES

- Examiner's Amendments may continue to use old practice of instructing entry of several words

- Portions of faxes or printed e-mails having full or partial replacement paragraphs/claims may be attached to an Examiner's Amendment

TREATMENT OF NON-COMPLIANT AMENDMENTS:
- If non-compliant (e.g., either the clean version or the marked-up version is missing), LIE should send a form letter notifying applicant that amendment is non-compliant (attach informational flyer)

- See SPE/Exr. If amendment entry is questionable

- If amendment is not entered and letter noting the informality is mailed, use PALM 1632 (+MRD) to re-start response period